



PATENT DOCKETING

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APR 01 2002

GRAYCARY/TELLIS  
UNITED STATES PATENT AND TRADEMARK OFFICECOMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 2023  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/034,623	12/21/2001	Ronald Swanson	

28213  
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SAN DIEGO, CA 92121-2189

CONFIRMATION NO. 9858

## FORMALITIES LETTER



\*OC000000007714668\*

COPY OF PAPERS  
ORIGINALLY FILED

Date Mailed: 03/26/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$42.
  - \$42 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter
- **The balance due by applicant is \$ 477.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2 5 cm. (1 inch), a left side margin of at least 2 5 cm (1 inch), a right side margin of at least 1 5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm (3/8 inch),

06/06/2002 NMOHAMM1 00000064 10034623

01 FC:201	370.00 OP
02 FC:202	42.00 OP
03 FC:205	65.00 OP

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

Attorney Docket No.: DIVER1490-4

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ronald Swanson et al                      Art Unit: 1631  
 Application No.: 10/034,623                      Examiner: Unassigned  
 Filed: December 21, 2001  
 Title: NUCLEIC ACIDS AND PROTEINS FROM CENARCHAEUM  
 SYMBIOSUM

COPY OF PAPERS  
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**BOX MISSING PARTS**

Commissioner for Patents  
 Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of Application mailed March 26, 2002,  
 enclosed are:

1. A copy of the Notice to File Missing Parts of Application (1 page);
2. An executed Declaration For Patent Application, copied from parent application, Serial No. 09/408,020 (4 pages);
3. Change of Inventorship Papers filed November 2, 2001, including: Copy of postcard received by PTO stamped January 17, 2002; Statement of Assignee Agreeing to Change of Inventorship; Statement From Added Inventor Christian M. Preston; Statement From Added Inventor Edward DeLong; and Declaration for Patent Application (18 pages);
4. Substitute Drawings (6 sheets);
5. Request for Correction of Filing Receipt, including copy of Filing Receipt issued in error (4 pages);
6. Check number 509464 in the amount of \$477.00; and
7. Return Receipt Postcard.

## CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 24, 2002, in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231

*Karen LePar*

Karen LePar

In re Application of:  
 Swanson et al  
 Application No.: 10/034,623  
 Filed: December 21, 2001  
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PATENT  
 Atty Docket No.: DIVER1490-4

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Large Entity	Small Entity		Small Entity	Large Entity
Total Claims	4 - 20	=	0	X	\$	\$09	=	\$ 0.00	\$ 0.00
Independent Claims	4 - 3	=	1	X	\$	\$42	=	\$42.00	\$ 0.00
Multiple Dependent Claims Presented: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					\$	\$140		\$0.00	
BASIC FEE								\$370.00	\$ 0.00
TOTAL FEE								\$412.00	\$ 0.00

XX Enclosed is a check in the amount of \$477.00 which includes \$412.00 as filing fee and \$65.00 as payment for the surcharge fee for missing parts of the application. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: May 24, 2002



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